

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group: 2611

PATENT APPLICATION

8/01/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Toshihiro SUGIURA and Eiji SHIBA
Serial no. : 09/473,080
Filed : December 28, 1999
or : CABLE BROADCASTING SYSTEM
Group Art Unit : 2611
Examiner : Christopher R. Nalevanko
Pocket : ADACHI P181US

MAIL STOP AF
Assistant Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Official

RECEIVED
8-1-03

RESPONSE

Dear Sir:

[XXX] NO FEES ARE PAYABLE WITH RESPECT TO THIS RESPONSE.

In response to the official action mailed June 9, 2003, please enter the following before reconsideration of this application.

REMARKS

Claims 4, 6 and 7 are rejected, under 35 U.S.C. § 103(a), as being unpatentable over Stern et al. '557. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

With respect to the Examiners statement: "Official Notice is taken that it is well known and obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Stern to stagger the command signals so as to not overload the power supply of a single tap with multiple commands to switch a relay." This Applicant respectfully disagrees and does not concede this point.

As the Examiner is undoubtedly aware the taking of "Official Notice unsupported by documentary evidence should only be taken by the Examiner where the facts asserted to be

MICHAEL J. BUJOLD
(ADMITTED IN NH & ME)

NATHAN E. FRIEDMAN
(ADMITTED IN MA)

SCOTT DANIELS
(Admitted in NH)

LAW OFFICES
DAVIS & BUJOLD, P.L.L.C.
FOURTH FLOOR
500 NORTH COMMERCIAL STREET
MANCHESTER, NEW HAMPSHIRE 03101
UNITED STATES OF AMERICA

TELEPHONE (603) 624-9220
FACSIMILE (603) 624-9229
E-mail: patent@davisandbujold.com

OF COUNSEL

ANTHONY G.M. DAVIS
(ADMITTED IN NY ONLY)
CHARTERED PATENT AGENT (U.K.)
EUROPEAN PATENT ATTORNEY

GARY D. CLAPP
(ADMITTED IN MA)

BOSTON ADDRESS:
P.O. BOX 57463
BROOKLINE MA 02467

FACSIMILE TRANSMITTAL

TO: Christopher R. Nalevanko FAX #: (703) 872-9315

COMPANY: U.S. Patent & Trademark Office - Group Art Unit #2611

FROM: Scott A. Daniels TOTAL NO. OF PAGES SENT: 4

DATE August 1, 2003

REMARKS AND ENCLOSURES:

In re Appln. of: Toshihiro SUGIURA and Eiji SHIBATA
Serial No.: 09/473,080
Filed: December 28, 1999
For: CABLE BROADCASTING SYSTEM
Group-Art Unit: 2611
Examiner: Christopher R. Nalevanko
Docket #: ADACHI P181US

RECEIVED: Response-3 pgs.

CONFIDENTIALITY NOTE

The document(s) accompanying this telefaxed transmission contains information from the law firm of DAVIS & BUJOLD, P.L.L.C. which is confidential and/or privileged. The information is intended to be for the use by the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this telefaxed information is prohibited. If you have received this transmission in error, please notify our office by telephone immediately so that we can arrange for the retrieval of the enclosed documents at no cost to you.
